



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,273	11/17/2003	Hyoung-Rok Kim	P-0598	1479

34610 7590 01/24/2007  
FLESHNER & KIM, LLP  
P.O. BOX 221200  
CHANTILLY, VA 20153

EXAMINER
----------

GESESSE, TILAHUN

ART UNIT	PAPER NUMBER
----------	--------------

2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/24/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

51

<b>Office Action Summary</b>	<b>Application No.</b> 10/713,273	<b>Applicant(s)</b> KIM, HYOUNG-ROK	
	<b>Examiner</b> Tilahun B. Gesesse	<b>Art Unit</b> 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 10-17, 20, 21, 24-29, 31 and 34 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 8, 9, 18, 19, 22, 23, 30, 32 and 33 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/17/03 &amp; 4/26/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 11 is rejected under 35 U.S.C. 102(e) as being anticipated by Sarkkinen et al (US 6,684, 081 B2).

Claim 11, Sarkkinen teaches a method for providing a broadcast service in a communication system (see column 6, line 52-column 7, line 6 , column 7, lines 16-60, column 8, lines 13-55 and figure 1), Comprising:

Sarkkinen teaches forming a service data unit by attaching a radio link control header to user data (column 11, lines 3-32 and figure 4) in which at RLC layer data frame and header field and payload formed.

Art Unit: 2618

Sarkkinen teaches transmitting the service data unit to at least one terminal without attaching a header in a broadcast/multicast control layer (see column 11, lines 20-31, which indicates that the MBC control SDU connects to provide multicast or broadcast service and contains header which stripped off transported to mobile stations.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4,7,10,12-17,20-21,24-29, 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sarkkinen in view of Beckmann et al (US 20030035423 A1).

Claims 1,3,16-17,25, Sarkkinen teaches a broadcast service method of a mobile communication system (see column 6, line 52-column 7, line 6 , column 7, lines 16-60, column 8, lines 13-55 and figure 1), comprising:

Sarkkinen teaches forming an SDU without adding a header in a BMC (broadcast/Multicast Control) layer (see column 11, lines 20-31, and figures 4 and 6) which indicates that the MBC control SDU connects to provide multicast or broadcast service and contains header which stripped off transported to mobile stations.

Art Unit: 2618

Sarkkinen teaches transmitting the SDU to a terminal (see column 11, lines 20-31, column 9, lines 38-49 and figures 1 and 5).

Sarkkinen teaches checking an input of a broadcast service key signal by a user and reading system information transmitted from a base station (see abstract , interfacing mobile stations and network, logical channels).

Sarkkinen does not expressly teach calculating an IMSI value and selecting a corresponding channel and reading a CTCH indicator, configuring lower layers, and performed by a Radio Resource Control of the terminal.

However, Beckmann teaches calculating an IMSI value (see paragraph 0062) and selecting a corresponding channel and reading a CTCH indicator, (paragraph 0066 and 0076) configuring lower layers, and performed by an RRC of the terminal (see paragraphs 0049-0051).

Although Sarkkinen teaches a multicast or broadcast multimedia service consist of several sessions , such as sport video clips and second news, which requires a scheduling between the different multicast session (see column 7, lines 51-68).

Both Sarkkinen and Beckmann teaches multicast /broadcast control and exchanging logical channels between mobile stations and network, then, it would have been obvious to an artisan of ordinary skill in the art at the time of the invention to identify the users and monitor the broadcast information in Sarkkinen system, as taught by Beckmann, in order to conserve system resource by monitoring processing information and avoiding users are not intended for receiving the information outside the specific group (see paragraph 0007).

Claim 2. Sarkkinen teaches a system information is transmitted system information broadcast of the terminal (see figures 4 and 6) in which system information block being interfacing between network and mobile stations.

Claim 4 Sarkkinen teaches the channel selected by calculating the IMSI value is a S-CCPCH (see column 10, lines 45-52 and figure 2).

Claims 7,20-21,28-29,31, Sarkkinen teaches the lower layers comprise at least one of a CTCH, a FACH and a S-CCPCH (see column 10, lines 45-52 and figure 1) .

Claims 10,24,34 Sarkkinen teaches the reading the received data is performed without using a DRX (discontinuous Reception) (see abstract).

Claim 12,27 Sarkkinen teaches checking an input of a broadcast service key signal (see column 9, lines 61- column 10 ,line 44) in which the mobile stations 104 enables to handle multicast/broadcast multimedia services.

Sarkkinen teaches reading system information transmitted from a base station (column 10, lines 18-52).

Sarkkinen teaches calculating an international mobile subscriber identity value and selecting a corresponding channel (see column 9, line 2-14 and abstract), in which comparison of entities first and second information entities.

Claim 13, Sarkkinen teaches reading a common traffic channel indicator (see column 10, lines 44-52 and figure 2).

Art Unit: 2618

Claim 14, Sarkkinen teaches configuring lower layer channels (see column 10, line 61-column 11, line 32 and figure 2).

Sarkkinen teaches reading data received in the terminal, the reading a common traffic channel indicator being performed by a radio resource control of the terminal (see column 10, line 61-column 11, line 32 and figure 2).

Claims 15,26, Sarkkinen teaches the system information transmits by a system information block (see column 10, line 61-column 11, line 32 and figure 2).

***Allowable Subject Matter***

6. Claims 5- 6,8-9,18-19,22-23,30,32-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. the selecting step is performed to obtain an index of a secondary common control physical channel that each terminal of a plurality of terminals may have, said plurality of terminals divided into N groups and each terminal of the N number of groups selects a channel by setting the index of selected S-CCPCH to be equal to  $IMSI \bmod K$ , wherein IMSI is an international mobile subscriber identity value, mod is the modular operator, and 14 is the number of S-CCPCHS mapped to CTCHS.

Art Unit: 2618

### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B. Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flexible schedule.

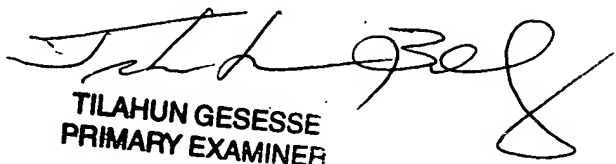
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899.

The Central FAX Number is 571-273-8300. For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TG

January 13, 2006

  
TILAHUN GESESSE  
PRIMARY EXAMINER